

1:21-mj-957-ML

AFFIDAVIT

I, MATTHEW P. MELIA, Special Agent with the Federal Bureau of Investigation (FBI), being duly sworn, state as follows:

1. I am a Special Agent with the FBI, duly appointed according to law and acting as such, and have been employed by the FBI since September 1997. As an FBI Special Agent, I am responsible for the enforcement of various federal laws, including those relating to the production of child pornography under 18 U.S.C. § 2251. I am currently assigned to the San Antonio Division of the FBI. I am assigned to the Violent Crimes against Children Section and as such, I investigate crimes against children, including the trafficking and possession of child pornography and the sexual exploitation of children.

2. This affidavit is submitted in support of a criminal complaint charging Thomas Owen NORVELL with one violation of Title 18 U.S.C. § 2251(a). Since this affidavit is submitted for the purpose of securing an arrest warrant, it does not include every fact known to the Affiant concerning this investigation.

3. The information contained in this affidavit is a compilation of information developed during an investigation conducted by your Affiant, as well as the Live Oak (Texas) Police Department (LOPD), and other agents and employees of the FBI.

4. In January of 2021, the Live Oak (Texas) Police Department (LOPD) contacted the San Antonio Field Office of the FBI to request assistance on an investigation involving Child Sex Abuse Material (CSAM). In December of 2020, LOPD had been called to the home by a grandmother who advised that her two grandchildren, hereafter referred to as Child Victim 1 (CV1) and Child Victim 2 (CV2), made outcries to her about sexual abuse committed against

them by their mother's live-in boyfriend, Thomas Owen NORVELL. CV1 is an 11-year-old female. CV2 is an 8-year-old female.

5. Reports provided by LOPD to the FBI indicated CV1 had been found in a bathroom taking naked photographs of herself on a tablet and had reported to her mother that NORVELL had made her take the photos and share them with people on the social media application "Kik."

6. LOPD also obtained screen shots of text messages that the children's mother, Candace Marie Hartwick, provided to Perimeter Behavioral Hospital in Arlington, Texas which contain CSAM images reported to be CV1. Candace Hartwick claimed the text messages were written by CV1 in conversations she was having with adults. Hartwick provided the messages to the hospital as justification for admitting CV1. It is noted that Hartwick and NORVELL traveled from North Texas to Live Oak to retrieve CV1 from the care of her grandmother after they learned CV1 was going to be forensically interviewed about the allegations.

Results of Child Forensic Interviews

7. CV1 was forensically interviewed on two occasions, first in January 2021 by a forensic interviewer at Child Safe in San Antonio, and later in February 2021 by an FBI Child and Adolescent Interviewer (CAFI) at the FBI field office in San Antonio.

8. The following is a summary of what CV1 disclosed to the interviewers: NORVELL began molesting CV1 from the time she was 8 years old, beginning in an apartment in Lakeway, near Austin, Texas. The molestation continued after the family moved to Montana when she was approximately 9 years old. The family lived in Montana for approximately 2 years before moving to California for 2 to 3 months. During that period, NORVELL touched

her inappropriately too many times for her to count. NORVELL has not touched her since she and her sister left California to live with their grandmother in Texas.

9. The molestation included: showing her pornographic videos; touching her breasts, bottom, and vagina; rubbing her vagina with his hands while he masturbated himself; rubbing his penis on her until ejaculation; rubbing his penis all over her body; forcing her to touch his penis; attempting to insert his finger into her vagina; and attempting to insert his penis into her anus. NORVELL also forced CV1 to perform sexual acts with CV2.

10. In addition, under threat he would harm her or others, NORVELL took photographs and forced her to take nude photographs of her body and vagina and transmit those images and text to other people over the social media application “Kik” using either a mobile telephone or tablet. NORVELL would always delete the Kik App from the mobile telephone or tablet after CV1 was done communicating with it.

11. CV1 related that NORVELL introduced her to Kik Messenger by convincing CV1 that he was using the App to text with people who were known to her, such as her mother’s best friend, her grandmother, and her mother. For a while, CV1 thought they were the actual people she was talking to because the App had their names and pictures (except for her grandmother’s). CV1 stated she figured out it was not them because she thought to herself, “Why would they be saying these things if they hadn’t said those things out loud before.”

12. The people on Kik Messenger wanted her to pose with her bottom showing, both sitting and standing. While sitting, her legs would be spread, and her clothes would be off. NORVELL would sometimes be in the same room while this was happening and would sometimes be in a different room. After the picture was taken, CV1 would just have to click the send button on the App. She would know that the people received the picture because they

would send back a bunch of “mmm’s,” or “LOL.” No one ever live chatted or video chatted with her.

13. During the interview with the FBI CAFE, CV1 was shown a folded screenshot of text messages which contained a CSAM image of CV1 as referred to in paragraph 6. CV1 was asked to identify what person was depicted in the picture. CV1 advised the picture was of her from when she took a video of herself. CV1 could not initially remember if someone told her to take the video. When asked what device took the video, CV1 recognized the video was taken by NORVELL’s mobile telephone in a “mini apartment” in Austin, Texas. The mini apartment was one room, kind of like a motel. The video was taken in the bathroom. CV1 then recalled NORVELL was in the room beside the bathroom, and it was his idea to take the video.

14. On March 2, 2021, CV1’s grandmother identified the Lake Travis Inn & RV Park located at 4511 Doss Road, Austin, Texas 78734 as the residence where NORVELL, Candace Hartwick, CV1, and CV2 lived together near Austin, Texas, within the Western District of Texas. I believe this to be the “mini apartment” referred to by CV1 during her forensic interview. It is also the location, according to CV1, where NORVELL’s criminal behavior with respect to this investigation began. Based on information I obtained as part of this investigation, I believe that NORVELL, Hartwick, CV1, and CV2 lived at this location from approximately December 18, 2018 through November 1, 2019, and thus I believe the video was made during that time period.

15. On April 7, 2021, the grandmother advised that on March 1, 2021, Candace Hartwick posted on Facebook that she and NORVELL had gotten married and had moved to Alaska. During the week of October 17, 2021, investigators with the FBI and the Division of Alaska State Troopers conducted surveillance at 1069 Miller Hill Extension Road, Fairbanks,

Alaska, a residence reported by the grandmother as being used by NORVELL. Investigators observed a blue and white Dodge pickup truck parked in front of the residence. The truck bore Alaska license plate KDC 895. A query performed on October 19, 2021, of that license plate in the Alaska Public Safety Information Network (APSIN) determined the truck is a 1970 Dodge pickup bearing Vehicle Identification Number E23BE0S154866. The truck's registration status is "transfer pending" from an individual named LOGAN BRUCE to an individual named THOMAS NORVELL.

16. On October 21, 2021, FBI agents in Fairbanks, Alaska observed the same 1970 Dodge pickup bearing the same license plate parked in front of a locally owned sandwich shop. Upon entering the restaurant, agents observed an individual cooking in the kitchen. This individual appeared to be the same individual pictured in the photographs of NORVELL provided to the agents, which included his Texas Driver's License photograph and photographs of NORVELL posted on his Facebook page. The agents observed the same individual in the kitchen upon their departure and observed the truck still parked in the same parking spot as when they arrived.

Results of Subpoenas to Google and T-Mobile

17. FBI San Antonio issued an administrative subpoena to T-MOBILE USA for subscriber information for users associated with the two mobile telephone numbers reported to be subscribed to by NORVELL (406-300-8653) and Candace Hartwick (406-300-8654).

18. Records received from T-MOBILE USA indicate MSISDN¹ 406-300-8653 is subscribed to by THOMAS NORVELL at 5520 PINKHAM CREEK RD REXFORD MT

¹ Mobile Subscriber Integrated Services Digital Network (MSISDN) Number is the user's mobile telephone number under Global System for Mobile Communication (GSM) services.

59930-9616. Devices listed on the account included: a White LG STYLO 5² utilizing IMSI 310260065258145 with Device Number³ 356284106392657, and a Black LG STYLO 4 utilizing IMSI 310260359562980 with Device Number 352439105326320.

19. On April 8, 2021, FBI San Antonio issued an administrative subpoena to Google, Inc. for records related to the IMSI and IMEI numbers in the paragraph above. Google, Inc. was able to only produce records associated with the IMEI 356284106392657. The records consist of Google Account Subscriber Information and Google Pay Customer Information associated with six (6) Google Account ID's summarized as follows:

a. **e-Mail: hartwickcandace1012@gmail.com, Google Account ID:**

70095884323

Name: Candace Hartwick⁴

Created on: 2015-05-27 22:17:41 UTC

Last Reported IP Address: 2021-04-02 13:59:51 UTC from

24.237.158.255

b. **e-Mail: slettesofiah@gmail.com, Google Account ID: 198310274617**

² The LG STYLO is an Android smartphone. I know that Android is Google's mobile operating system and that phones operating on the Android operating system are designed to function with a user's Google Account. To wit, I know that during the initial setup process, an Android phone prompts the user to sign in with their Google Account. Although it is possible for a user to operate an Android phone without a Google Account, most Android phone users sign in to a Google Account because many useful functions on the phone would otherwise be inoperable, such as Gmail and the Google Play app store.

³ The term Device Number, as used by T-MOBILE USA, is interchangeable with the term IMEI, which stands for International Mobile Equipment Identity. It is a unique 15-digit number (14 digits and 1 check digit used for verification) used to identify a mobile device on a Global System for Mobile Communications (GSM) network. When a mobile device connects to a network, the IMEI is used to identify and approve it. The IMEI is hard coded into the handset and is the identification number of the physical device itself. The IMEI is only for the device, not for personal identification. However, many social media companies store the IMEI in connection with user accounts.

⁴ I believe it likely that Candace Hartwick, using Google Account ID: 70095884323 and email hartwickcandace1012@gmail.com, connected to the above account on a device shared with or borrowed from Norvell.

Name: Sofiah Slette

Created on: 2020-02-18 10:23:53 UTC

Last Reported IP Address: 2021-03-27 21:15:10 UTC from
24.237.158.238

BILLING, LEGAL: Kim Read, EUREKA, MT 59917 US

BILLING, LEGAL: Thomas Norvell, EUREKA, MT 59917 US

c. **e-Mail: tnorvell84@gmail.com, Google Account ID: 286431762506**

Name: Thomas Norvell

Created on: 2013-11-04 23:17:20 UTC

Last Reported IP Address: 2021-04-08 22:56:03 UTC from
24.237.158.237

d. **e-Mail: tnorvell8492@gmail.com, Google Account ID: 430836625754**

Name: Thomas Norvell

Created on: 2018-06-30 05:24:01 UTC

Last Reported IP Address: 2021-03-27 21:15:10 UTC from
24.237.158.238

e. **e-Mail: armyeagle5niner@gmail.com, Google Account ID:**

772634102923

Name: Lewis Carter

Created on: 2020-12-14 21:13:48 UTC

Last Reported IP Address: 2021-03-27 21:15:10 UTC from
24.237.158.238

- f. **e-Mail: randy.adultentertainblacked@gmail.com, Google Account ID:
872344379243**

Name: Randy Velfair

Created on: 2021-01-01 18:43:23 UTC

Last Reported IP Address: 2021-03-27 21:15:10 UTC from
24.237.158.238

20. The last reported IP address from the subpoena results provided by Google, Inc. for all six accounts noted in paragraph 19 all resolve to Service Provider GCI COMMUNICATIONS, 2550 DENALI STREET, SUITE 1000, ANCHORAGE, AK 99503.

Results of Search Warrant to Google

21. On July 7, 2021, FBI San Antonio served a search warrant issued from the U.S. District Court for the Western District of Texas for records in the custody of Google, Inc. contained in the five Google Accounts listed in paragraphs 19(b), (c), (d), (e), and (f). The aforementioned accounts were believed to have been utilized by NORVELL based on their common use of IMEI 356284106392657, listed as a White LG STYLO 5 on the T-Mobile account of NORVELL. A review of the information contained in the six accounts located Child Sexual Abuse Material and/or Child Sexual Exploitation Material as described in the below paragraphs:

22. Files were located in the Google account slettesofiah@gmail.com. Among the files was an email from Sofiah Slette using slettesofiah@gmail.com to tnorvell84@gmail.com dated September 25, 2020. The email had a subject line titled, "Yep" which contained 34 attachments totaling 24.6 MB. The naming conventions of the attachments span from

Screenshot_2020-09-25-05-56-58.png to Screenshot_2020-09-25-06-01-53.png. The attachments appear to represent screenshots produced on a mobile telephone over a period 4 minutes and 55 seconds.

23. Each of the 34 screenshots contains the image of a female. Superimposed in the center of each image is a circular arrow, indicating the source of the screenshots are videos. 30 of the 34 attachments are consistent with Child Sexual Abuse Material and contain images of what appears to be CV1 with her nude vagina lasciviously displayed for the camera. Among the attachments are approximately four separate scenes featuring CV1 which are distinguishable by CV1's appearance, clothing, or setting. A selection of the attachments is described as follows:

24. Screenshot_2020-09-25-06-01-22.png: An image file depicting a pre-pubescent female who appears to be CV1. The child is filmed from below in a seated position with her legs spread apart and displaying a nude vagina and anus. The child's full face is visible in the image, and she is wearing a multicolored blouse. A metal storage rack is pictured above and behind the child, along with appears to be a plastic shower curtain with a multi-colored check pattern featuring different shades of blue, green, and white. The image is bordered by black rectangles at the top and bottom which contain symbology consistent with that found on a smartphone device running an Android operating system. The symbology includes a time in the upper right-hand portion of the screen which reads 6:01 AM, consistent with the file naming convention. The image depicted in this file appears visually similar to the image of CV1 as identified by CV1 during her CAFI interview described in paragraph 13.

25. Screenshot_2020-09-25-05-59-30.png: An image file depicting a pre-pubescent female pictured from behind squatting above a camera. The child is wearing a grey t-shirt and is nude from the waist down. The child's nude vagina and anus are visible to the camera. The

child appears to be CV1, although her face is not visible. CV1's identity is established from other images in the series through the setting, her physical characteristics including a freckle on the right side of her vulva, and the grey colored t-shirt. The image is bordered by black rectangles at the top and bottom which contain symbology consistent with that found on a smartphone device running an Android operating system. The symbology includes a time in the upper right-hand portion of the screen which reads 5:59 AM, consistent with the file naming convention.

26. Screenshot_2020-09-25-05-59-32.png: An image file which appears to contain almost the exact same image as that depicted in Screenshot_2020-09-25-05-59-30.png. However, the image of the child contains multi-pointed yellow star with the words "My sexy daughter [CV1]" superimposed on CV1's right buttock.

27. Files were located in the Google account tnorvell84@gmail.com consistent with Child Sexual Abuse Material or Child Sexual Exploitation Material. Eight of the files feature CV1's face superimposed on the head of a nude or scantily clothed female, and three of those files depict the female engaged in sexual activity. Two of the files depict CV1 with her vagina lasciviously exhibited for the camera. A selection of the files is described as follows:

28. 2021-03-22-06-56-51-856.jpg - An image file which depicts CV1's face superimposed on the body of a young nude female. The female is depicted kneeling on a floor, which is covered by a black plastic sheet. A white liquid substance is shown running down the female's hair, onto her body, and onto the plastic sheet. A logo is superimposed on the image in the lower right-hand corner which reads "Fucked Up Facials."

29. AirBrush_20210201012533.jpg - An image file depicting a pre-pubescent female who appears to be CV1. The child is filmed from below in a seated position with her legs spread

apart and displaying a nude vagina and anus. The child's full face is visible in the image. The image is very similar to an image found in the .mbox files of slettesofiah@gmail.com named Screenshot_2020-09-25-06-01-22.png (referenced in paragraphs 13 and 24), however, this image appears to have been tinted entirely in red with photo editing software.

30. Based on the foregoing facts, your Affiant respectfully submits that there is probable cause to believe that THOMAS OWEN NORVELL knowingly used a minor, CV1, to engage in any sexually explicit conduct for the purpose of producing a visual depiction of such conduct, and which visual depiction was produced using materials that have been shipped and transported in or affecting interstate or foreign commerce, in violation of 18 U.S.C. § 2251(a).

REQUEST FOR SEALING

31. It is respectfully requested that this Court issue an order sealing, until further order of the Court, the Complaint and supporting affidavit submitted in support of this application. These documents discuss an ongoing criminal investigation that is not public. Accordingly, there is good cause to seal these documents because their premature disclosure may give the target an opportunity to destroy or tamper with evidence or otherwise seriously jeopardize the investigation. We do not, however, request that the arrest warrant be sealed so that it may be served and entered into NCIC.

Matthew P. Melia
MATTHEW P. MELIA
Special Agent
Federal Bureau of Investigation

Sworn to and subscribed to me by telephone pursuant to Federal Rule of Criminal Procedure 4.1 on November 22, 2021.



MARK LANE
U.S. Magistrate Judge